

This instrument prepared by:

John R. Martin
Wallace, Jordan, Ratliff & Brandt, L.L.C.
800 Shades Creek Parkway, Suite 400
Birmingham, Alabama 35209

Send Tax Notices To:

James & Ann K. Kirkwood
5931 Cahaba Valley Rd.
Birmingham, AL 35242

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Two Hundred Twenty-Five Thousand and No/100 DOLLARS (\$ 225,000.00) and other good and valuable consideration to the undersigned grantors, Carol Louise Bates Simmons, as personal representative of the **Estate of Margaret K. Bates, deceased, Probate Case #2007-000577, Shelby County, Alabama (50.0%), (the decedent), Carol Louise Bates Simmons (12.5%), Richard Winslett Bates (12.5%), Timothy Joel Bates (12.5%), Delores Bates (2.5%), Chris Bates (2.5%), Brenda Bates Hopper (2.5%), Joshua Robert Stricklin (formerly Bates) (0.83%), Zachery Lee Bates (0.83%), Elyse Keaton Bates (0.84%), Cari Rebecca Bates Davis (0.625%), Stephanie Lynn Bates Hall (0.625%), Jason Stephen Bates (0.625%), Paula Price (0.3125%), Jerry Price (0.3125%),** (all hereinafter, the "GRANTORS"), in hand paid by the grantee herein, the receipt and sufficiency of which is hereby acknowledged, the GRANTORS do hereby **GRANT, BARGAIN, SELL AND CONVEY** the above undivided interests into James Kirkwood and Ann K. Kirkwood, (herein referred to as "GRANTEES") as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Shelby County, AL 08/21/2019
State of Alabama
Deed Tax: \$225.00


20190821000306870 1/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Legal Description- Attached "Exhibit Y"

Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Name and Mailing Address:	Grantee's Name and Mailing Address:
Carol Simmons, P.R. Estate of Bates	James and Ann K. Kirkwood
802 Signal Mountain Blvd. Apt 1	
Signal Mountain, TN 37377	Birmingham, Alabama

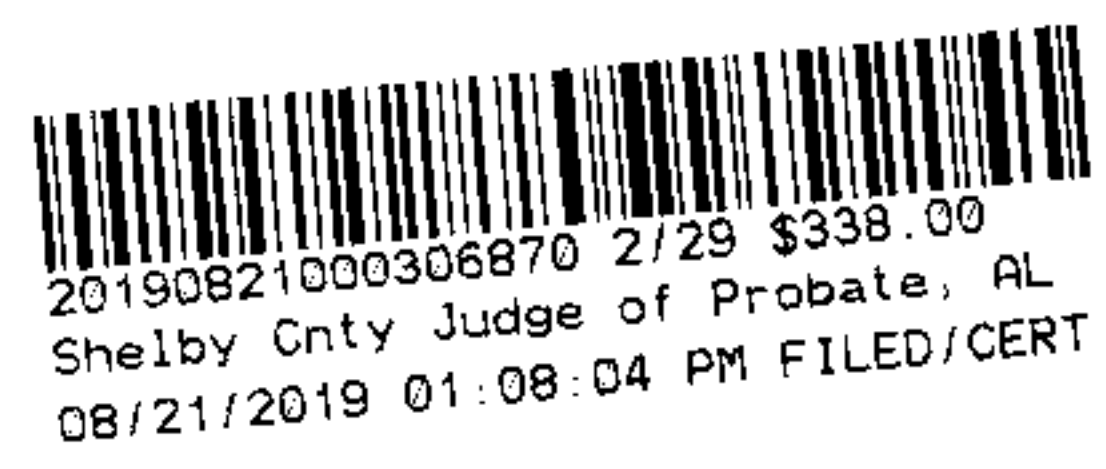
Property Address:	2516 Valleydale Road, Birmingham, AL 35244
Tax Parcel ID:	10-5-16-0-001-023.000
Date of Sale:	Date of this Deed
Actual Value:	\$ 225, 000.00
The Purchase Price can be verified in:	☒ Closing Statement

Subject to:

1. Taxes and special assessments for the year 2019 and subsequent years not yet due and payable.
2. Right of ways, covenants, easements and restrictions of record.

RECITALS

1. Wherein, Margaret K. Bates (herein referred to as "decedent") died testate on October 16, 2007. The decedent's Last Will and Testament was admitted to record in the Probate Court of Shelby County, Alabama, Case No. PR-2007-000577. Said Court issued Letters Testamentary to the grantor, Carol Louise Bates Simmons as personal representative on October 25, 2007, authorizing grantor as personal representatives to act on behalf of the estate of the decedent.



2. The terms of said decedent's Will provide that the decedent's personal representative is empowered to sell real estate by public or private sale including the real property described above and the personal representative, grantor is presently serving in that capacity.
3. The property conveyed herein is not the homestead of any grantor, nor a grantor's spouse, if married.

Throughout this instrument, whenever the name of Carol Louise Bates Simmons appears in her capacity as personal representative of the Estate of Margaret K. Bates, deceased, then she is executing the deed solely in the representative capacity named herein and neither this instrument nor anything contained herein shall be construed as creating any indebtedness or obligation on the part her in her individual capacity, and she in that fiduciary capacity expressly limits her liability to the representative capacity named. Further this limitation shall also apply to the personal representative, if she is required to sign this deed as Agent for another grantor (s) as provided in the Circuit Court's Order of Shelby County, Alabama dated June 27, 2019, Case # 58-CV2008-00116.00, a copy of which is attached to this deed as Exhibit "Z" and is incorporated into this deed by reference. This shall limitation shall not apply to matters wherein her name is shown in an individual capacity.

Further all disbursements of proceeds of this sale shall be made as provided in said Exhibit "Z".

TO HAVE AND TO HOLD Unto the GRANTEES, as joint tenants with right of survivorship, it being the intention of the parties to this conveyance that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee herein; and if one grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And the GRANTOR will warrant and forever defend the right and title to the above described property unto the GRANTEES against all the claims of GRANTOR and all others claiming by or under GRANTOR, but none other.


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Shelby Cnty Judge of Probate, AL
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"EXHIBIT Y"

A parcel of land situated in the West 1/2 of the SE 1/4 of Section 16, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Begin at the SW corner of the NW 1/4 of the SE 1/4 of Section 16, Township 19 South, Range 2 West; thence S 00°22'22" E a distance of 114.16' to a point on the northwesterly right of way line of Valleydale Road, said point being the point of a non-tangent curve to the left having a radius of 1104.62', a central angle of 25°27' 56", and subtended by a chord which bears N 45°42'28" E, a chord distance of 486.93'; thence along said curve and said right of way an arc distance of 490.96'; thence N 42°27'11" W a distance of 225.47'; thence N 01°04'16" E a distance of 62.07'; thence N 38°00'21" W a distance of 187.70'; thence N 39°20'24" W a distance of 137.99'; thence S 00°22'22" E a distance of 708.94' to the Point of Beginning.



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Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

IN WITNESS WHEREOF, Grantors have hereunto set hands and seals, this 8th day of July, 2019 which are executed on separate pages.

Estate of Margaret K. Bates, deceased

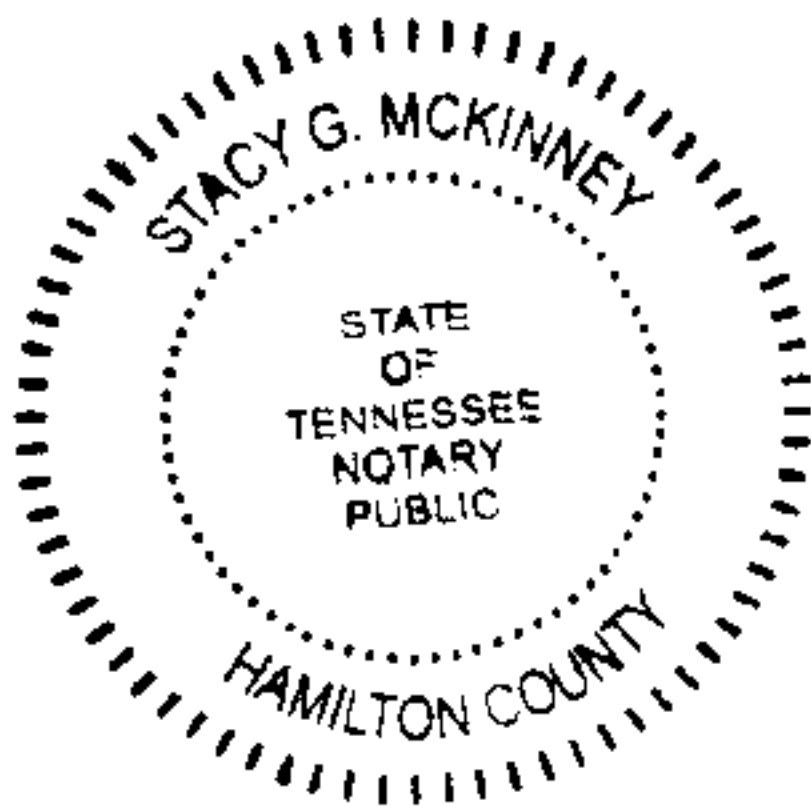
Carol Louise Bates Simmons

Carol Louise Bates Simmons,
Personal Representative

STATE OF TENNESSEE)
COUNTY OF Hamilton)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Carol Louise Bates Simmons as Personal Representative of the Estate of Margaret K. Bates, deceased, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of July 2019.



Stacy G. McKinney
NOTARY PUBLIC

My commission expires: February 12, 2022

20190821000306870 5/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

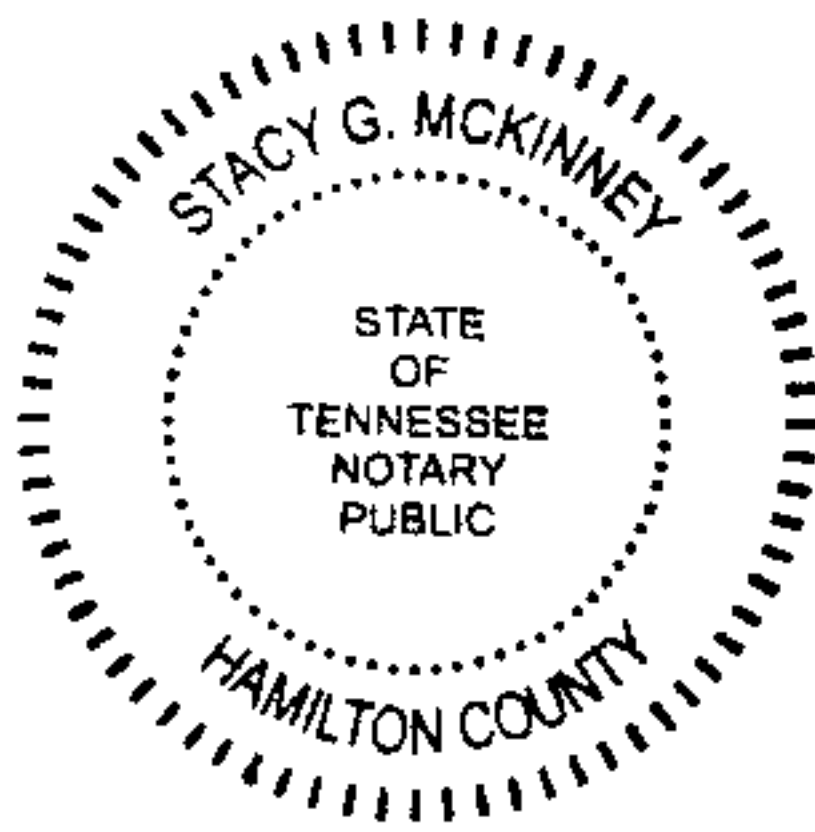
Carol Louise Bates Simmons (SEAL)
Carol Louise Bates Simmons

STATE OF Tennessee)
Hamilton COUNTY)

GENERAL ACKNOWLEDGMENT

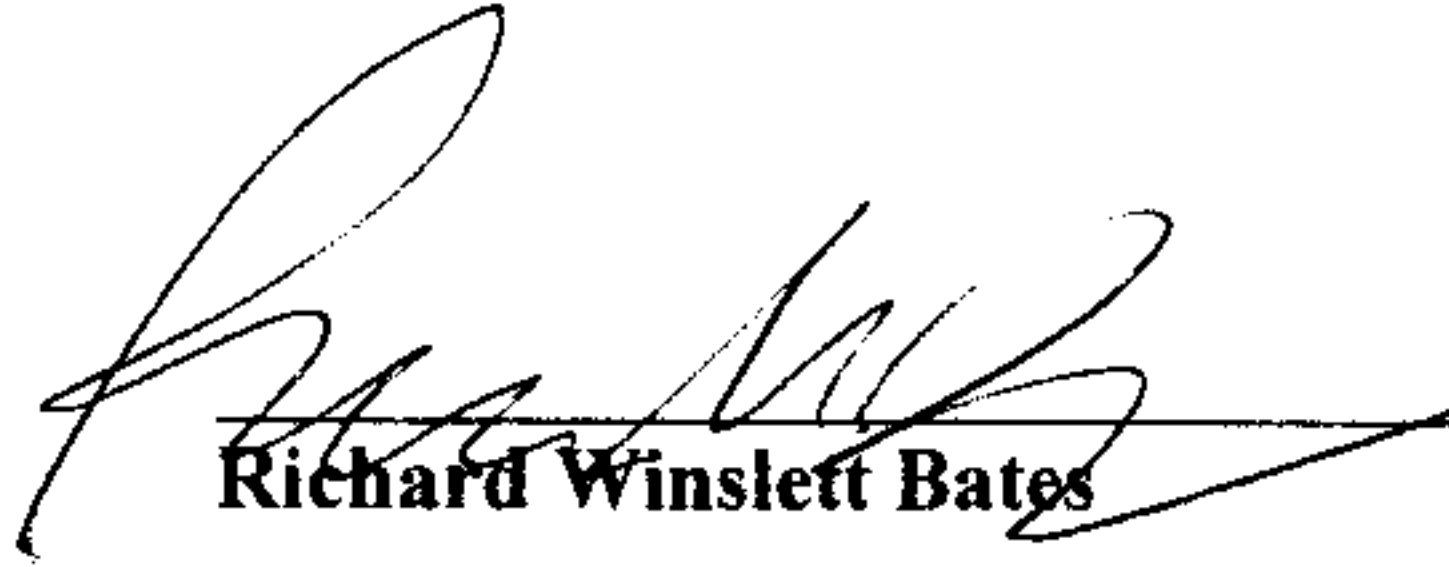
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Carol Louise Bates Simmons, a ~~married~~ unmarried woman**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of July, 2019.



Stacy G. McKinney
Notary Public
My commission expires: February 12, 2022

20190821000306870 6/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

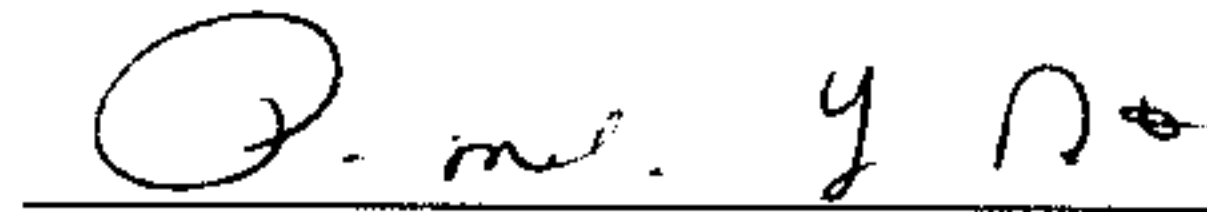
 (SEAL)
Richard Winslett Bates

STATE OF Alabama)
Jefferson COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Richard Winslett Bates, a (married / ~~unmarried~~) man**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12 day of August, 2019.

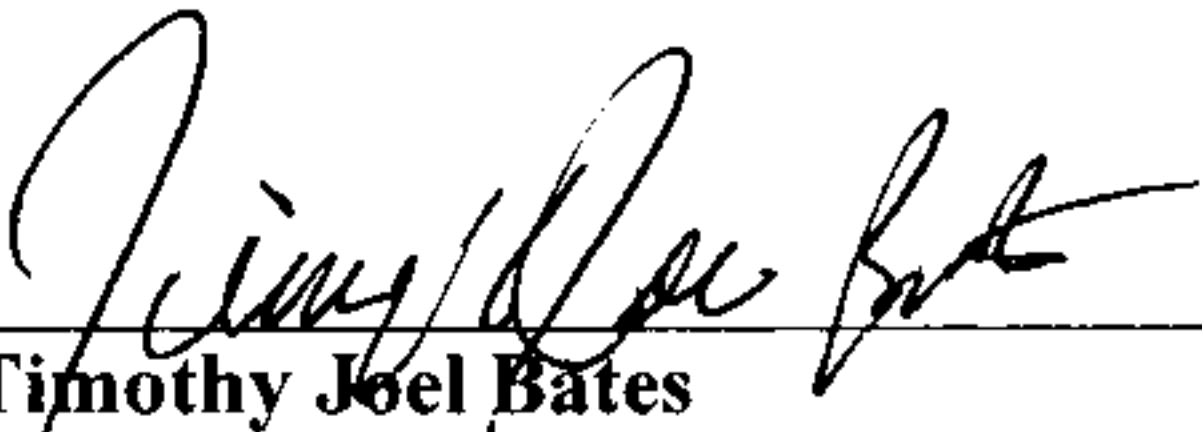


Notary Public

My commission expires: 2/12/2022



20190821000306870 7/29 \$338.00
Shelby Cnty Judge of Probate, AL
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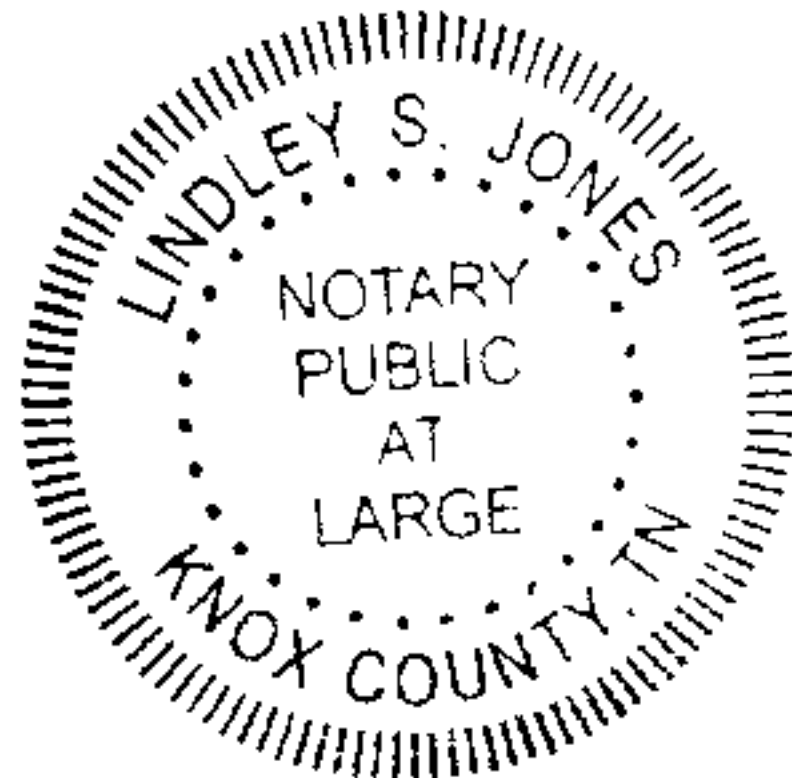

Timothy Joel Bates (SEAL)

STATE OF TN)
KNOX COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Timothy Joel Bates, a ~~(married)~~ ~~unmarried~~ man**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of July, 2019.




Notary Public
My commission expires: 02/06/2023


20190821000306870 8/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Delores Bates (SEAL)
Delores Bates

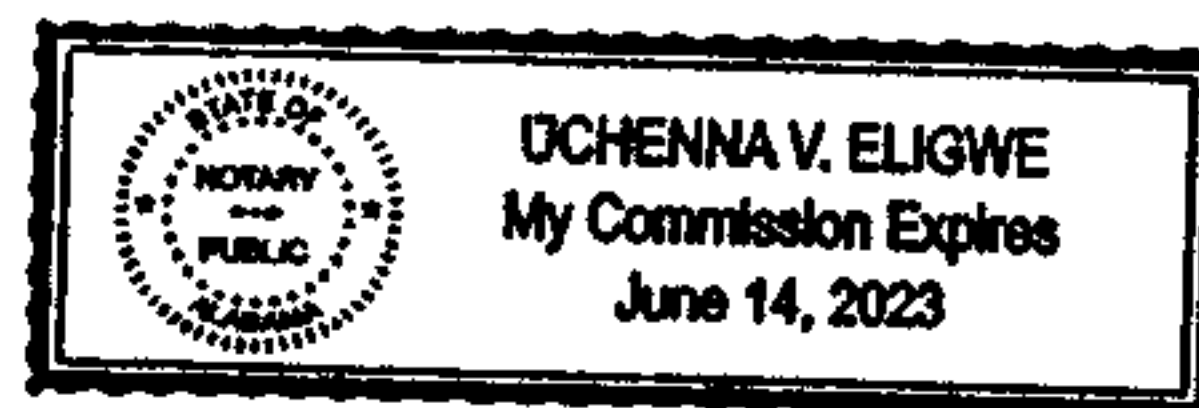
STATE OF Alabama)
Shelby COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Delores Bates, a (~~married~~ / unmarried) woman**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of July, 2019.

Uchenna V. Eligwe
Notary Public
My commission expires: June 14, 2023



20190821000306870 9/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

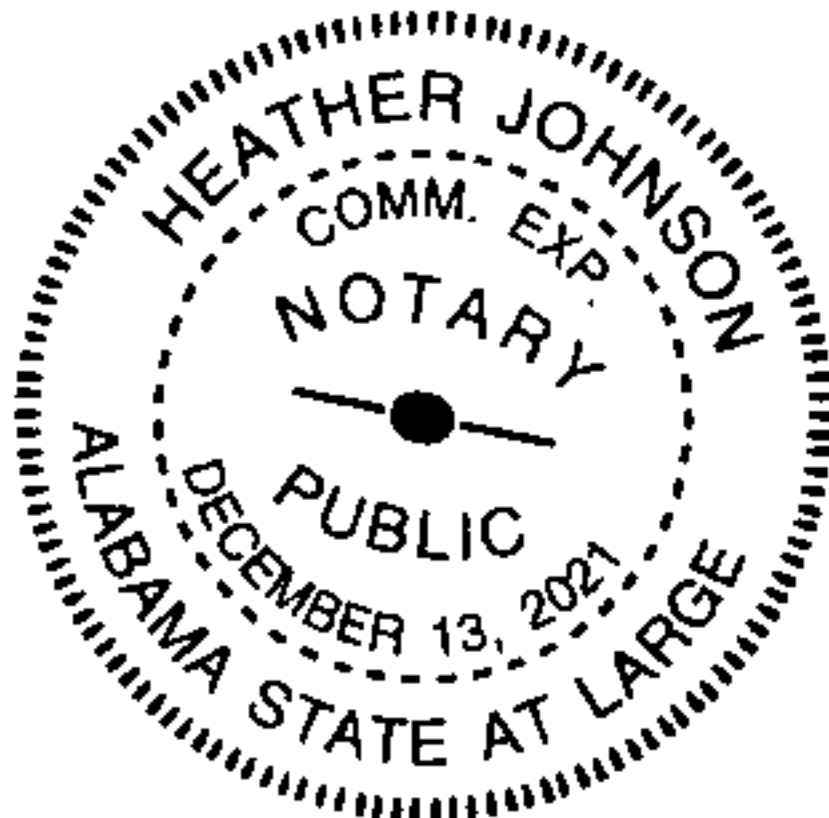
 (SEAL)
Chris Bates

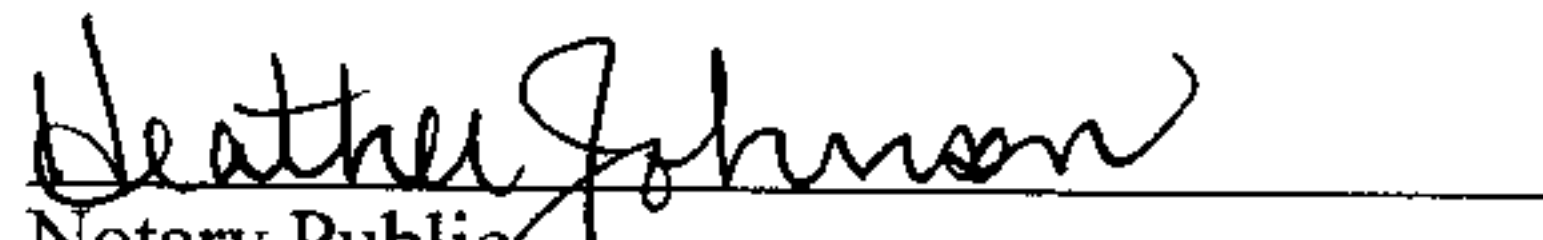
STATE OF Alabama)
Jefferson COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Chris Bates, a (married ~~un~~married) man**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12 day of July, 2019.




Notary Public
My commission expires: 12/13/2021


20190821000306870 10/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Brenda Bates Hopper (SEAL)
Brenda Bates Hopper
BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

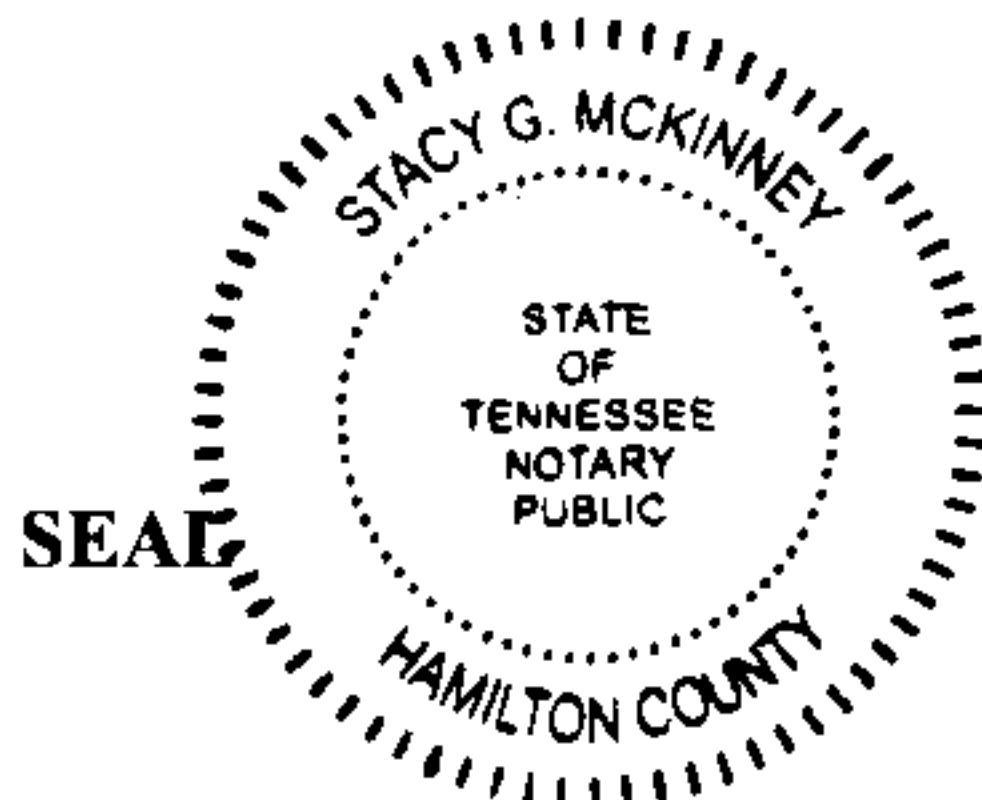
20190815000296120

STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Brenda Bates Hopper, a married woman, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public My Commission Expires
My commission expires: February 12, 2022

20190821000306870 11/29 \$338.00
Shelby Cnty Judge of Probate: AL
08/21/2019 01:08:04 PM FILED/CERT

Joshua Robert Stricklin (SEAL)
Joshua Robert Stricklin

BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons his Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

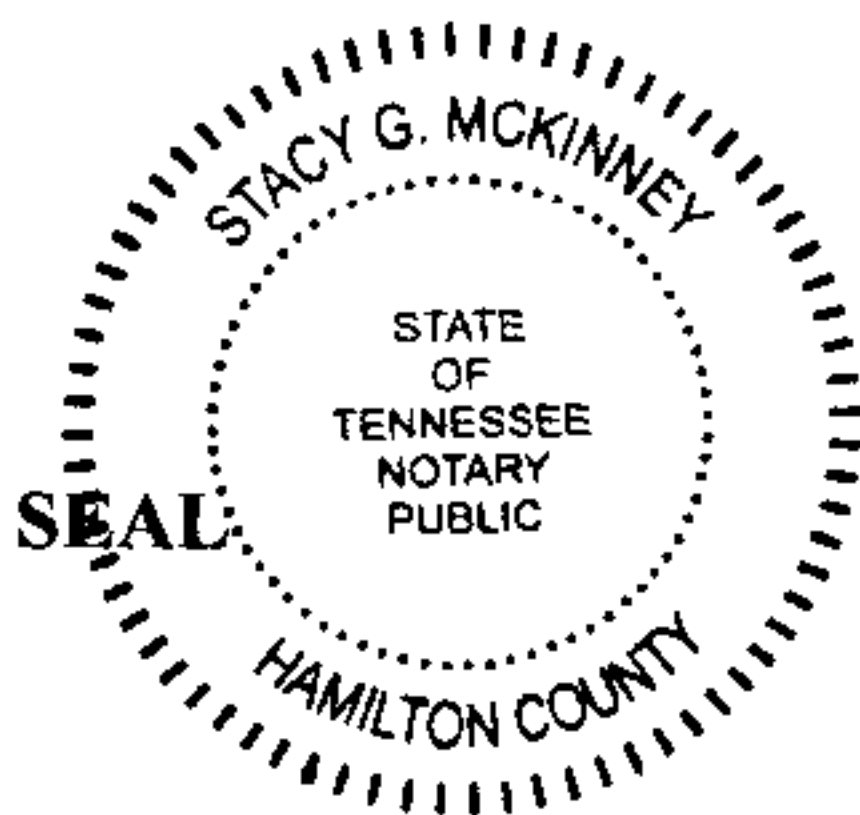
2019 08 15 000 296120

STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Joshua Robert Stricklin, a married man, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons his Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public My Commission Expires
My commission expires: February 12, 2022

20190821000306870 12/29 \$338.00
Shelby Cnty Judge of Probate: AL
08/21/2019 01:08:04 PM FILED/CERT

Zachery Lee Bates (SEAL)
Zachery Lee Bates
BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons his Attorney in Fact
(Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that
certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit
Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby
County, Alabama, which is further recorded in Instrument Number _____ in the Office of
the Judge of Probate Shelby County, Alabama.

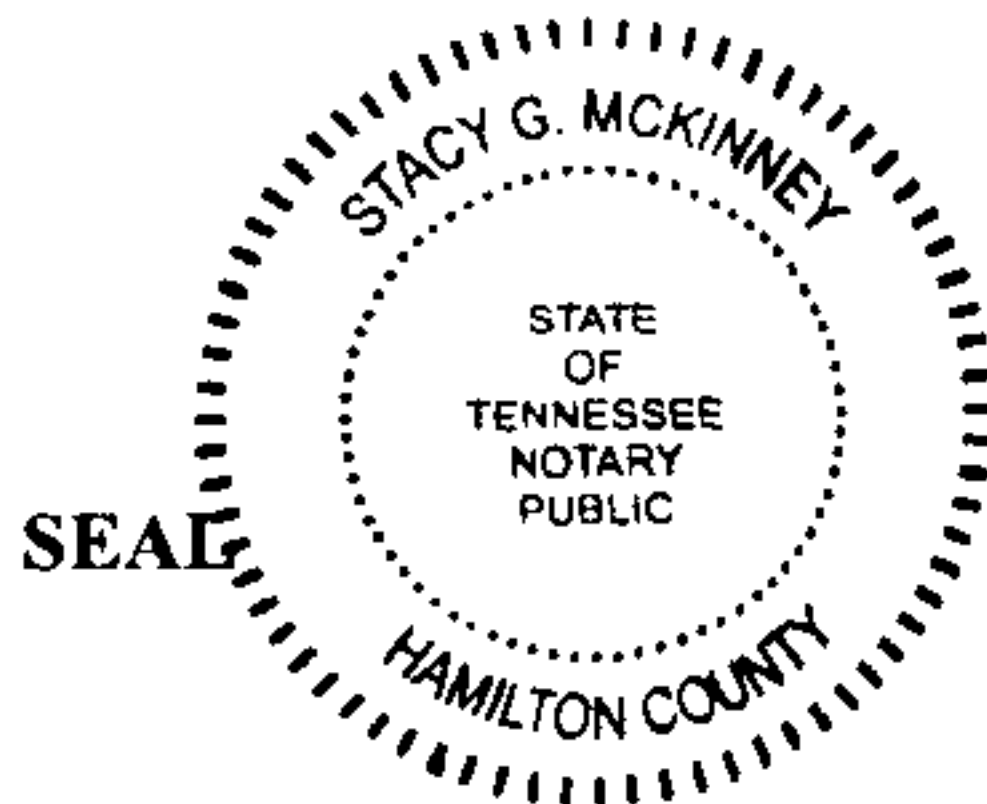
2019085000 296120

STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Zachery Lee Bates, a married man, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons his Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public My Commission Expires
My commission expires: February 12, 2022

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Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Elyse Keaton Bates (SEAL)
Elyse Keaton Bates

BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

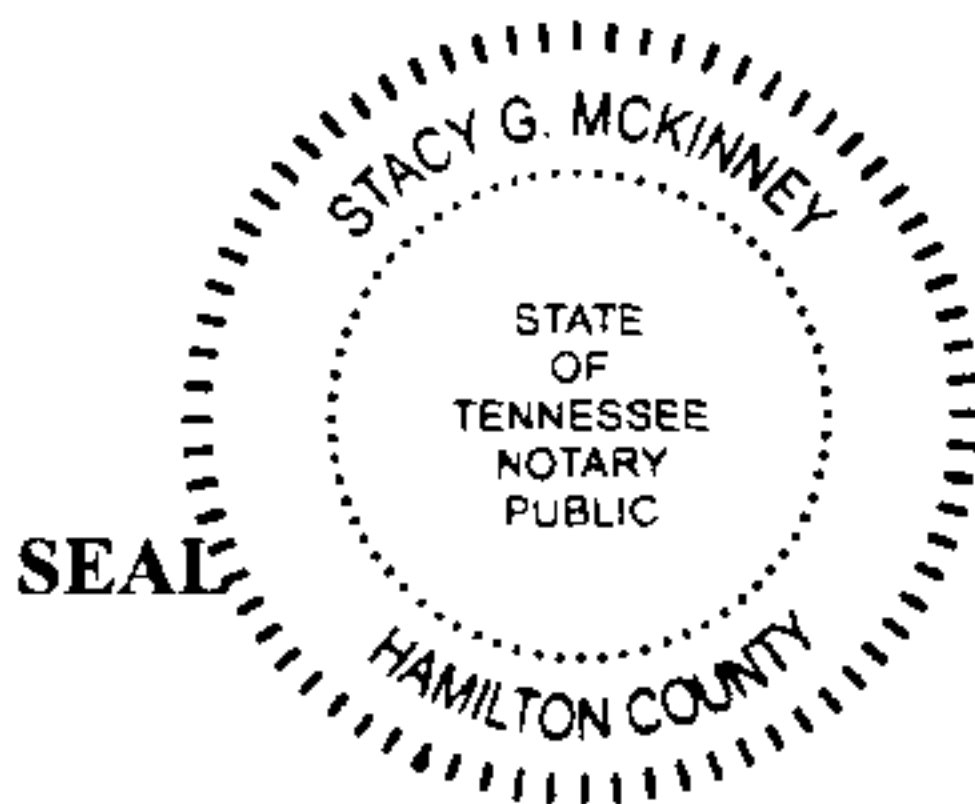
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STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Elyse Keaton Bates, a married woman, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public

My commission expires: My Commission Expires
February 12, 2022



20190821000306870 14/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Cari Rebecca Bates Davis (SEAL)

Cari Rebecca Bates Davis

BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

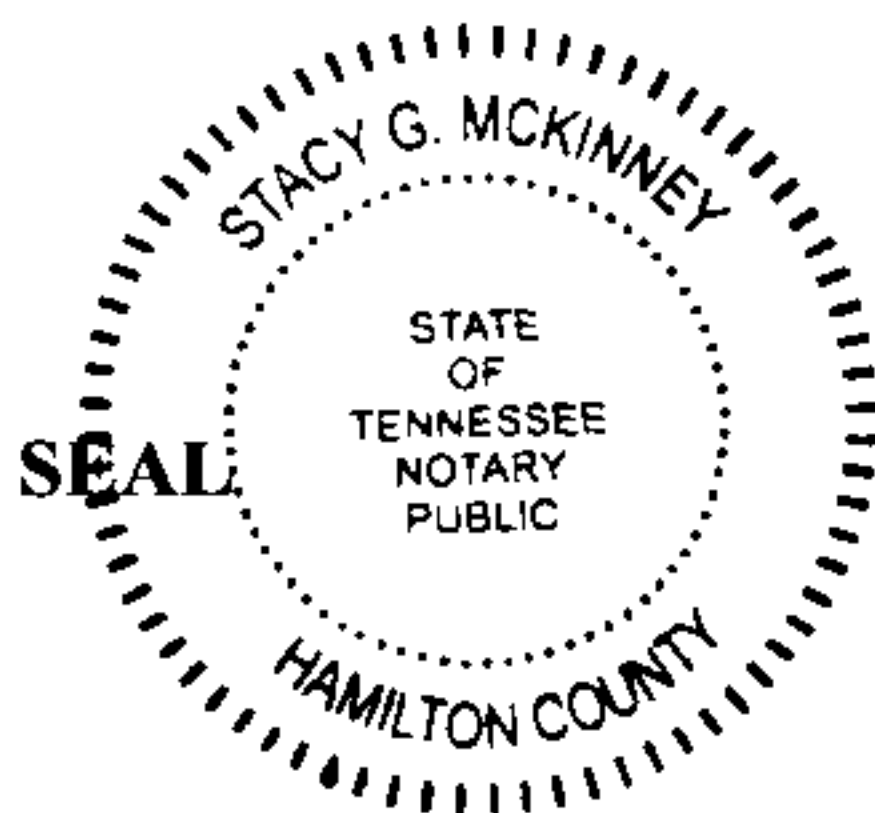
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STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Cari Rebecca Bates Davis, a married woman, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public My Commission Expires
My commission expires: February 12, 2022

20190821000306870 15/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Stephanie Lynn Bates Hall (SEAL)
Stephanie Lynn Bates Hall

BY: Carol Louise Bates Simmons (SEAL)

Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

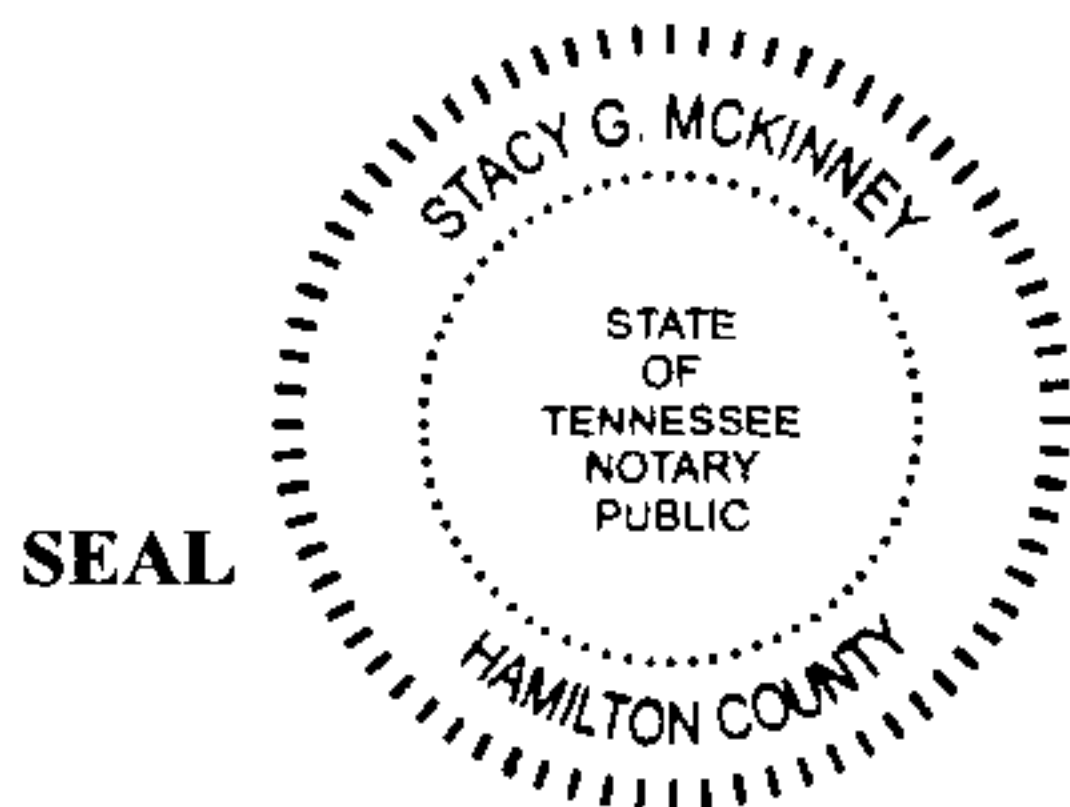
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STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephanie Lynn Bates Hall, a married woman, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons her Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney

Notary Public My Commission Expires
My commission expires: February 12, 2022

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Shelby Cnty Judge of Probate: AL
08/21/2019 01:08:04 PM FILED/CERT

Jason Stephen Bates (SEAL)
Jason Stephen Bates

BY: Carol Louise Bates Simmons (SEAL)

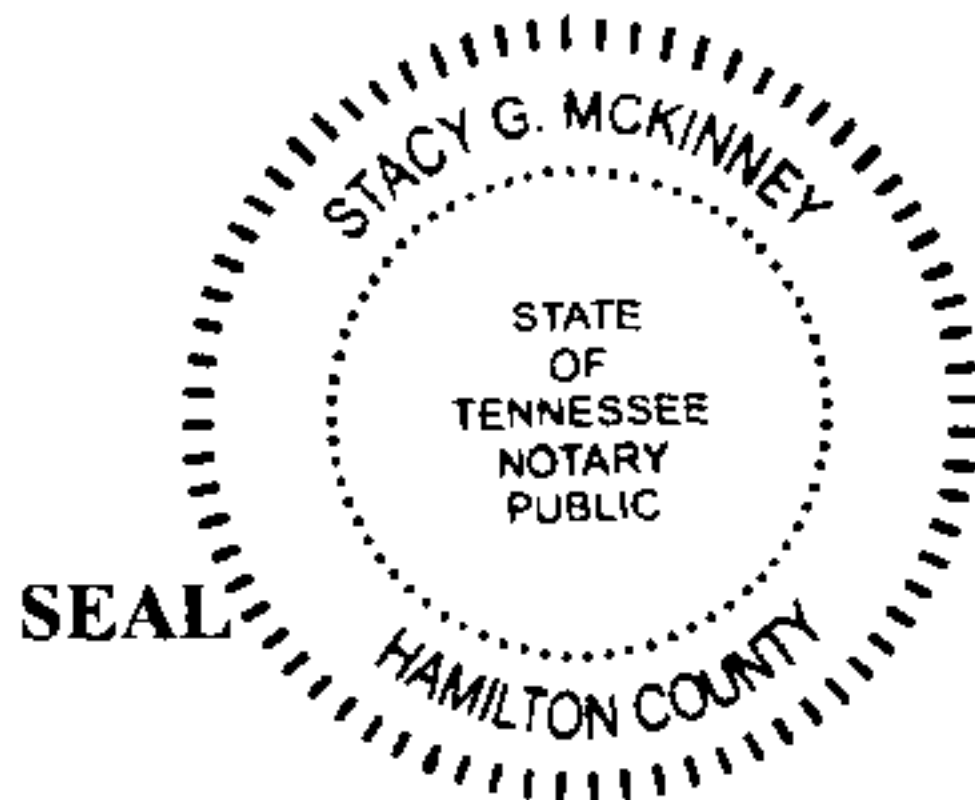
Carol Louise Bates Simmons his Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama, which is further recorded in Instrument Number _____ in the Office of the Judge of Probate Shelby County, Alabama.

STATE OF TENNESSEE)
HAMILTON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jason Stephen Bates, a married man, and whose spouse does not claim subject property of this conveyance as the spouse's homestead, whose name is signed to the foregoing conveyance by Carol Louise Bates Simmons his Attorney in Fact (Agent) as provided under the Judicial Limited Power of Attorney granted said Agent under that certain "Final Order of Sale and Distribution of Net Proceeds" Judge Corey B. Moore, Circuit Judge, filed June 27, 2019, Simmons v. Bates, Case No. CV-2008-116, Circuit Court, Shelby County, Alabama and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily under the authority of the power of attorney referenced in the conveyance on the day the same bears date.

Given under my hand and official seal this 12th day of August, 2019.



Stacy G. McKinney
Notary Public

My commission expires: February 12, 2022

20190821000306870 17/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

Paula Price (SEAL)
Paula Price

STATE OF Alabama)
Dallas COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Paula Price, a (married) ~~unmarried~~ woman**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15th day of July, 2019.

Kelly H. Hobson
Notary Public
My commission expires: 07/26/2020


20190821000306870 18/29 \$338.00
Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT

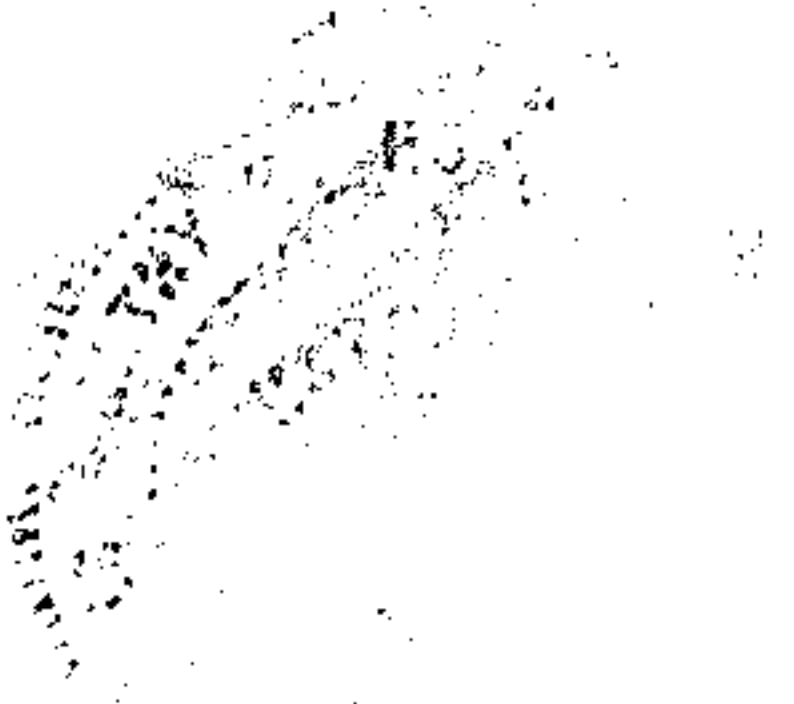
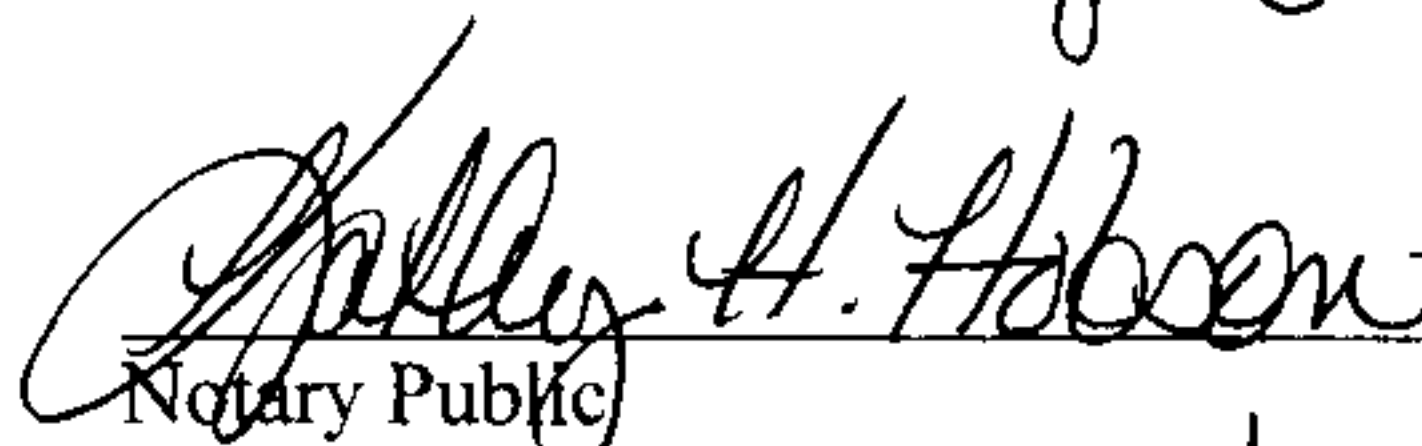

_____(SEAL)
Jerry Price

STATE OF Alabama)
Dallas COUNTY)

GENERAL ACKNOWLEDGMENT

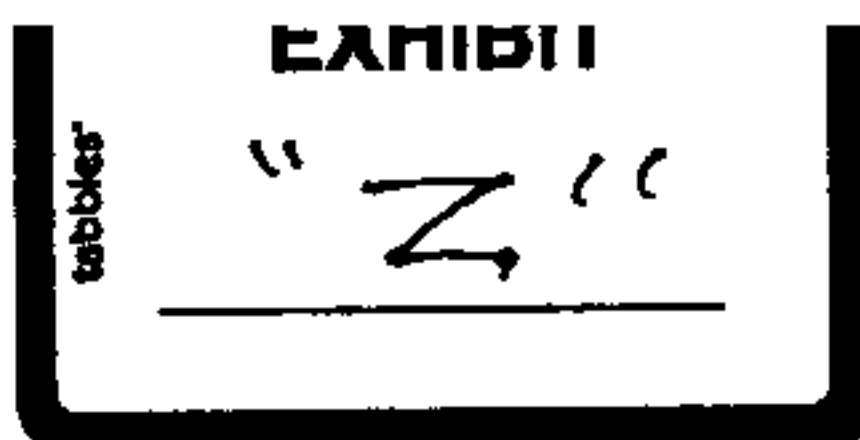
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Jerry Price, a (married) ~~unmarried~~ man**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15th day of July, 2019.

Notary Public
My commission expires: 07/26/2020


20190821000306870 19/29 \$338.00
Shelby Cnty Judge of Probate. AL
08/21/2019 01:08:04 PM FILED/CERT



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6/27/2019 8:33 AM
58-CV-2008-000116.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

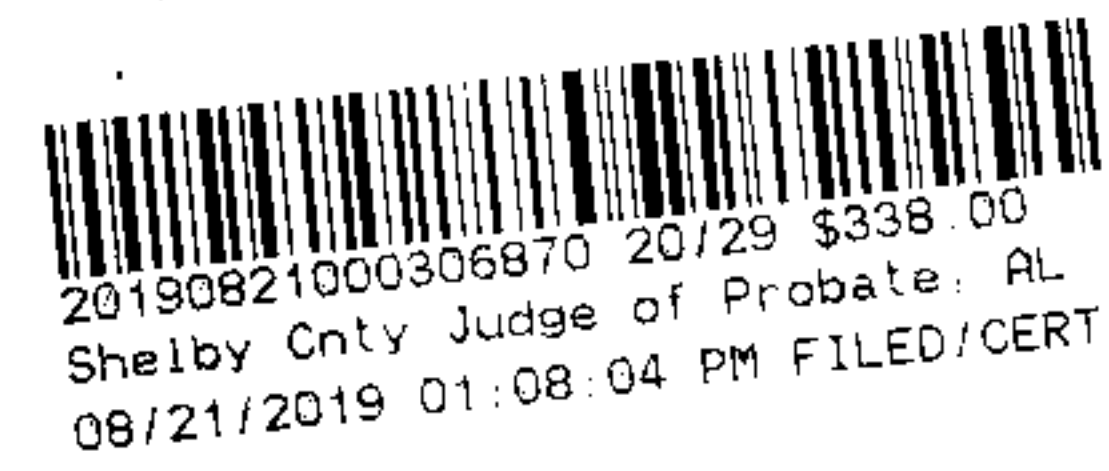
**CAROL LOUISE BATES SIMMONS,
as Personal Representative of the
ESTATE OF MARGARET K. BATES,
et al.,**

Plaintiff,

v.

KAREN BATES, et al.,

Defendant.



CASE NO.: CV-2008-116

FINAL ORDER OF SALE AND DISTRIBUTION OF NET PROCEEDS

The Court finds of record that Carol Louise Bates Simmons as personal representative of the Estate of Margaret K. Bates, deceased, (Estate) Plaintiff, filed a Motion for Approval or Order of Sale and Distribution of Net Proceeds with this Court on April 18, 2019, and after Notice of the Hearing of said Motion set for May 8, 2019, 9:00 am was given to attorney William R. Justice, and all the Defendants, the Court proceeded with the hearing of said Motion.

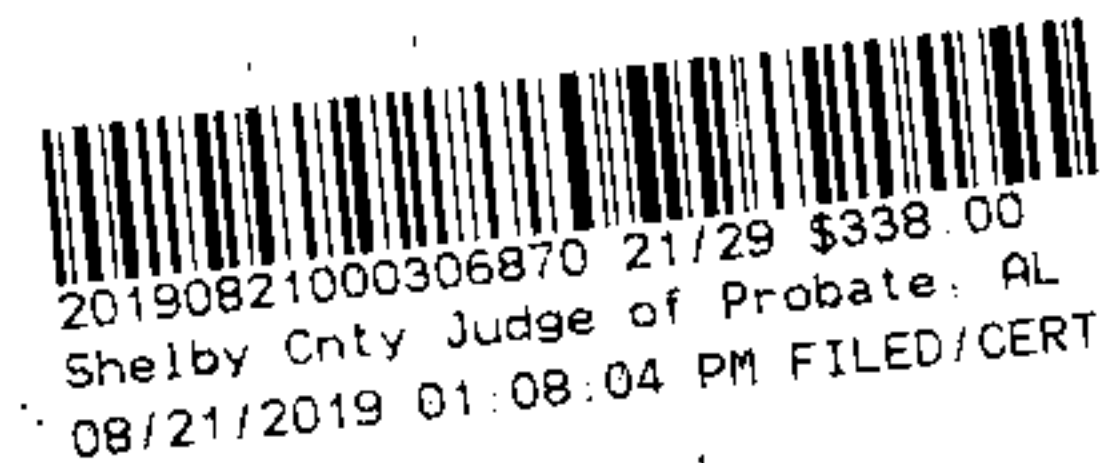
At the hearing held on May 8, 2019, 9:00am, with the attorney for the Plaintiffs and one of the Defendants Delores Bates, pro se, present, the Court after hearing arguments and receiving an affidavit of the personal representative into evidence finds that all the allegations in Motion are true and well taken, that it is in due form and that the prayer for relief therein should be granted, it is therefore,

ORDERED, ADJUDGED AND DECREED by the Court:

1. The decedent's home described in the Motion and located at 2516 Valleydale Road, Birmingham, Shelby County, Alabama 35244 shall be

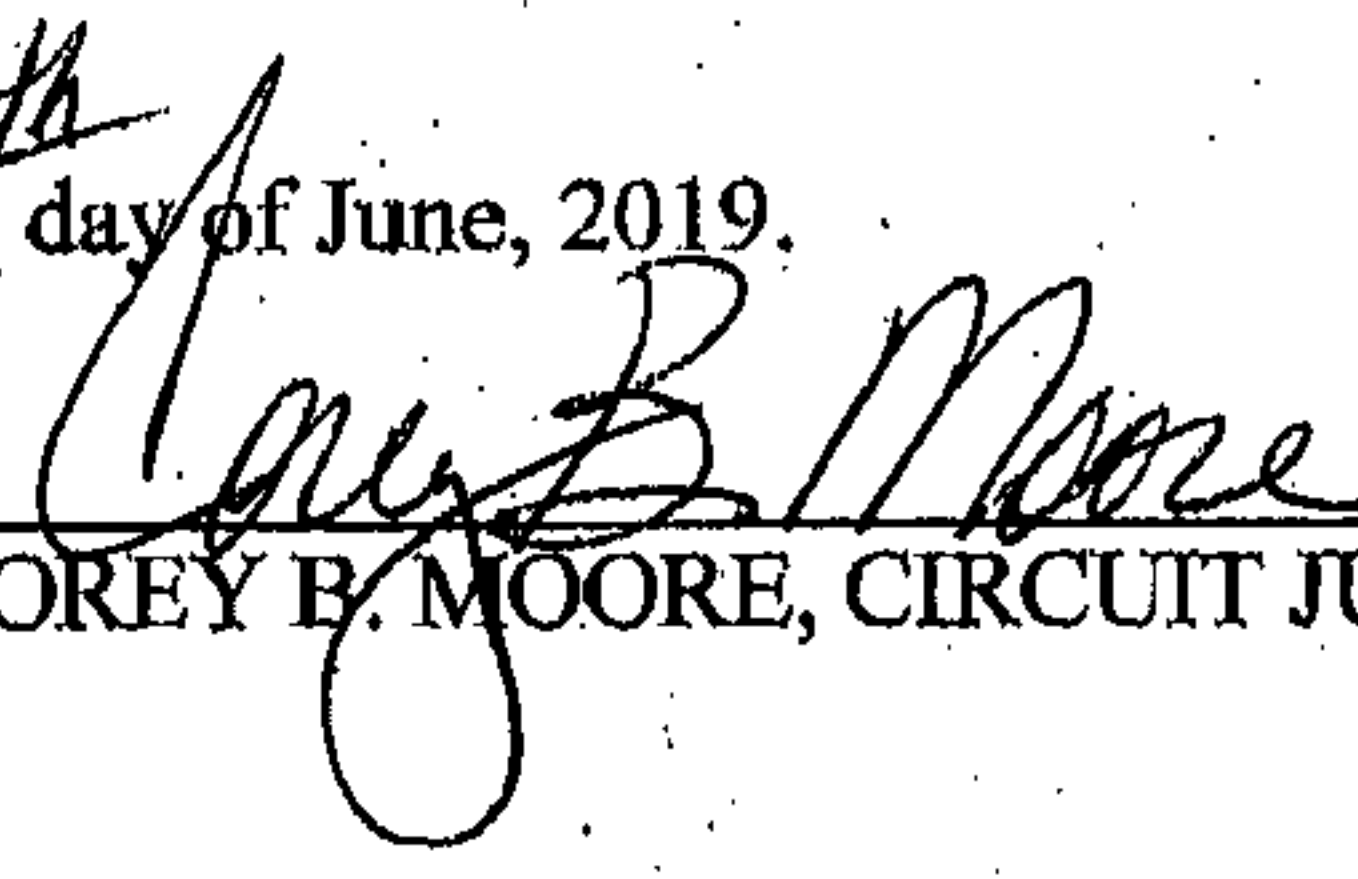
sold under the terms and conditions of that certain real estate sales contract attached to the Motion, dated March 24, 2019, signed by all the Plaintiffs as sellers and James Kirkwood and Ann K. Kirkwood as buyers. The deed of sale shall be executed by all those grantors shown in that Order of Judgment rendered by the Circuit Court of Shelby County, Alabama June 22, 2017 in the above styled matter, however if any grantor fails to affix his or her name, before a notary public, to the deed of sale and anyother closing documents as required for closing and return same to the personal representative in the return envelope provided within 21 days from the date the deed is mailed by registered or certified by U.S. Mail to a grantor, then this Court grants the personal representative of the decedent's estate, Carol Louise Bates Simmons, a judicial limited power of attorney as Agent on behalf of any grantor who fails to return the deed and closing documents executed as described in this paragraph, to execute the deed by signing the said grantors name by the above power granted in this Order, therefore 100.0% of the title to the home by this Order shall in fact have been convey by a deed of sale properly executed.

2. Further at closing of the sale, the closing attorney or agent is directed before disbursing the Net to the Sellers as described below and after satisfying that certain mortgage from the decedent to Regions Bank (formerly AmSouth Bank) recorded 5/31/2001 in Instrument 2001-21868 in the office of the Judge of Probate of Shelby County, Alabama and paying other amounts as required by the sales contract, to pay Carol Louise Bates Simmons (Carol), individually the amount shown on the attached "Schedule 1." and identified as Supplemental Exhibit "A" which represents personal loans made by Carol to the Estate of Margaret K. Bates over the period of the administration of the estate, all of which were applied by the estate to the expenses of establishing and confirming ownership of the above home and maintenance of the Regions Bank mortgage and of the real estate itself.



3. Further the closing agent or attorney is then directed after payments are made as described in the above paragraph 2. to deliver a check representing the Net Proceeds of the Sale payable to the law firm of Wallace, Jordan, Ratliff & Brandt, 800 Shades Creek Parkway, Suite 400 Birmingham, Alabama 35209 to the attention of John R. Martin, attorney and the law firm is directed to disburse the proceeds to the grantors in the percentage amounts shown in that certain Order of Judgment rendered by the Circuit Court of Shelby County, Alabama June 22, 2017 in the above styled matter and attached hereto as Exhibit "B". This Order was rendered in the Bill to Quiet Title filed by the personal representative of the estate on February 4, 2008. Any unclaimed amounts due a grantor(s) either by failure to personally execute the Deed of Sale or otherwise within a reasonable period after the closing of the sales contract shall be delivered to this Court and held by the Court until same is claimed by the said grantor or transferred as provided by Alabama Statute.
4. Counsel for the plaintiff is DIRECTED to record this Order in the Office of the Judge of Probate of Shelby County, Alabama.

DONE and ORDERED this 27th day of June, 2019.


COREY B. MOORE, CIRCUIT JUDGE



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Shelby Cnty Judge of Probate, AL
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Schedule 1

Supplemental Exhibit "A" June 2019

Amounts Forwarded from Exhibit "A"

	Taxes	Interest	Insurance	Legal
Amounts as of 12/31/18	10,175.74	34,201.97	10,345.60	10,681.40
Payments made 1/1/19 to 5/31/19	0	2,249.44	0	654
Total to 5/31/19	10,175.74	36,445.41	10,345.60	11,335.40
Remaining expenses estimated thru distributions of sale proceeds	0		0	7,353.00
Grant Total of Expenses	10,175.74	36,445.41	10,345.60	18,688.40
Amount loaned by Carol Simmons over life of sale of real estate				75,655.15



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Estimated Disbursement to
Family after closing 8/20/19

Net from closing before
Mortgage payoff

199,806

Less

Mortgage payoff (est. date closing)
8/20/19

102,799

Loan amount due Carol Simmons

75,655

Net to be distributed to
Grantors under deed closing 8/20/19
Estimated amounts and date

21,352



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Estimated Distribution of Sales Proceeds of Valleydale Home 2019

Closing date of 8/20/19

Net from Sale Prior to Mortgage Payoff \$ 129,806.00

Less Mortgage as of 8/20/19 \$ 102,799.00

Less expenses of case \$ 75,655.00
Loan by Carol Simmons

Available for Distribution % \$ 21,352.00

Estate of Margaret Bates	50%	\$	10,676.00
Carol Louise Bates Simmons	12.5%	\$	2,669.00
Richard Winslett Bates	12.5%	\$	2,669.00
Timothy Joel Bates	12.5%	\$	2,669.00
Delores Bates	2.5%	\$	533.80
Chris Bates	2.5%	\$	533.80
Brenda Bates Hepper	2.5%	\$	533.80
Joshua Robert Stricklin	0.83%	\$	177.22
Zachery Lee Bates	0.83%	\$	177.22
Elyse Keaton Bates	0.84%	\$	179.36
Carl Rebecca Bates Davis	0.625%	\$	133.45
Stephanie Lynn Bates Hall	0.625%	\$	133.45
Jason Stephen Bates	0.625%	\$	133.45
Paula Price	0.3125%	\$	66.73
Jerry Price	0.3125%	\$	66.73



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Shelby Cnty Judge of Probate, AL
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EXHIBIT

"B"



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6/20/2017 4:10 PM
58-CV-2008-000116-00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY

CAROL LOUISE BATES SIMMONS,
as personal representative of the
ESTATE OF MARGARET K. BATES,
et al.,

Plaintiffs,

KAREN BATES, et al.,

Defendants.

CIVIL ACTION NO.:

CV-2008-116

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Shelby Cnty Judge of Probate AL
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ORDER OF JUDGMENT

This matter came before the Court on the Motion for Summary Judgment filed by plaintiff Carol Louise Bates Simmons, as personal representative of the Estate of Margaret K. Bates. Plaintiff, via said motion, submitted a Joint Stipulation to Entry of Judgment by Consent executed by parties to this action except defendant Carl Rebecca Bates Davis. Counsel and defendant Delores Bates attended the hearing of the Motion for Summary Judgment, with defendant Davis failing to attend or opposing said motion in any manner. Having considered said Motion for Summary Judgment and the premises demonstrated therein, as well as the Joint Stipulation executed by the vast majority of the parties, this Court finds that the motion is well taken and that judgment is due to be entered in this action as follows:

1. The Court finds that the parties to this action are entitled to share as described herein interests in the two (2) parcels of real property at issue in the above-styled action to quiet title and which is situated in Shelby County, Alabama, located at 2516 Valleydale Road, Birmingham, Alabama 35244 and more specifically described as follows:

Begin at the Southwest corner of the NW 1/4 of the SE 1/4 of Section 16, Township 19 South, Range 2 West; thence run southerly along the West boundary line of the SW 1/4 of the SE 1/4 of Section 16, Township 19 South, Range 2 West for 114.16 feet, more or less, to a point on the North Right of Way line of Shelby County Road No. 17 (Valley Dale Road); thence turn an angle of 124 Degrees, 42 minutes to the left and run Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 94 Degrees, 29 Minutes to the left and continue

Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 04 Degrees, 45 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 05 Degrees, 20 minutes to the left and continue Northeasterly along the North Right of Way line of said road for 100.0 feet; thence turn an angle of 75 degrees, 12 minutes, 15 seconds to the left and run Northwesterly 524.62 feet, more or less, to a point on the West boundary line of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West; thence run Southerly along the West boundary line of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West for 583.69 feet to the point of beginning.

This land being a part of the West half of the SE3 of Section 16, Township 19 South, Range 2 West, and being 2.4752 acres, more or less;

and,

Commencing at the Southwest corner of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West, run Northerly along the West Boundary line of the said NW3 of the SE3 of Section 16, Township 19 South, Range 2 West, for 583.69 feet to the point of beginning of the land herein described and conveyed; from the point of beginning continue Northerly along the said West boundary line for a distance of 124.2 feet; thence turn an angle of 141 degrees 51 minutes to the right and run Southeasterly for a distance of 324.4 feet; thence turn an angle of 39 degrees 31 minutes to the right and run Southerly for a distance of 62.1 feet; thence turn an angle of 43 degrees 33 minutes to the left and run Southeasterly for a distance of 225.65 feet to a point on the Northwest Right of Way line of County Road No. 17; Thence turn an angle of 78 degrees 38 minutes to the right and run Southwesterly along the Northwest Right of Way line of said County Road for a distance of 90.1 feet; thence turn an angle of 109 degrees 06 minutes 45 seconds to the right and run for a distance in a Northwesterly direction for 524.62 feet, more or less, to the point of beginning.

This land being a part of the NW3 of the SE3 of Section 16, Township 19 South, Range 2 West and containing 0.99 acres, more or less.

(said parcels shall be hereinafter referred to together as the AProperty).

2. Judgment is hereby ENTERED to declare the Court's specific finding that the interests of the parties in said Property are divided as follows:

Estate of Margaret K. Bates	50%
Carol Louise Bates Simmons	12.5%
Richard Winslett Bates	12.5%
Timothy Joel Bates	12.5%
Delores Bates	2.5%
Chris Bates	2.5%
Brenda Bates Hopper	2.5%

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08/21/2019 01:08:04 PM FILED/CERT

Joshua Robert Stricklin (formerly Bates)	0.83%
Zuckery Lee Bates	0.83%
Elyse Keaton Bates	0.84%
Carl Rebecca Bates Davis	0.625%
Stephanie Lynn Bates Hall	0.625%
Jason Stephen Bates	0.625%
Paula Price	0.3125%
Jerry Price	0.3125%

3. The Court makes its findings herein in order to quiet title in the subject Property as to all parties to this action as listed in the preceding paragraph. The Court retains jurisdiction in this action to address the reformation claim and to approve any subsequent sale of the Property and the distribution of proceeds of such sale as shall be necessary. In the event all parties shall agree to such sale, the parties and/or their counsel are instructed to report to the Court any such sale in order to obtain final closure of this action. Pursuant to Rule 54(b) of the Alabama Rules of Civil Procedure and in order to make this a final order, the Court specifically finds that there is no just reason for delay and specifically directs the immediate entry of judgment to quiet the title to the Property in the parties as provided herein.

4. Counsel for the plaintiff is DIRECTED to record this Judgment in the Office of the Judge of Probate of Shelby County, Alabama. *Costs are stayed as paid.*

Done this the 22nd day of June, 2017.

[Signature]
COREY B. MOORE
CIRCUIT JUDGE

cc: J. Todd Miner, Esq.
William R. Justice, Esq.



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Shelby Cnty Judge of Probate AL
08/21/2019 01:08:04 PM FILED/CERT

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name ESTATE OF MARGARET K. BATES

Mailing Address: C/O Wallace, Jordan, Ratliff & Brundt, 800 Shades Creek Pkwy, Suite 400, Birmingham, AL 35209

Property Address 2516 VALLEYDALE RD
BIRMINGHAM, AL 35244

Grantee's Name JAMES KIRKWOOD

Mailing Address: 2516 VALLEYDALE RD
BIRMINGHAM, AL 35244

Date of Sale: August 20, 2019

Total Purchaser Price \$225,000.00

or

Actual Value \$

or

Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one)

(Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address – provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address – provide the name of the person or persons to whom interest to property is being conveyed.

Property address – the physical address of the property being conveyed, if available.

Date of Sale – the date of which interest to the property was conveyed.

Total purchase price – the total amount paid for the purchase of the property, both real and personal being conveyed by the instrument offered for record.

Actual value – if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 Sec. 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 Sec. 40-22-1 (h).

Date 8-20-19

Print

David S. Snoddy

Unattested

(verified by)



(Grantor/Grantee/Owner/Agent) circle one



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Shelby Cnty Judge of Probate, AL
08/21/2019 01:08:04 PM FILED/CERT